

RECEIVED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDUARDO C. GARCIA,) No. C 14-3386 RMW (PR)
)
Petitioner,) ORDER OF DISMISSAL
)
v.)
)
UNKNOWN,)
)
Respondent.)
)

On July 22, 2014, petitioner, proceeding *pro se*, filed a letter which commenced this action. The same day, the clerk notified petitioner that he had not paid the filing fee, nor had he filed an application to proceed in forma pauperis (“IFP”). The clerk also notified petitioner that he failed to submit a petition. Along with the deficiency notices, petitioner was provided with a new IFP application and instructions for completing it. Petitioner was further cautioned that his failure to either file a completed IFP application or pay the filing fee within twenty-eight days would result in the dismissal of this action. In addition, petitioner was advised that his failure to file a petition within twenty-eight days would result in the dismissal of this action. To date, petitioner has not paid his filing fee, filed a completed IFP application, or filed a petition.

Thus, the instant action is DISMISSED without prejudice. The clerk shall enter judgment and close the file.

IT IS SO ORDERED.

DATED: JES


RONALD M. WHYTE
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

EDUARDO C. GARCIA,

Case Number: CV14-03386 RMW

Plaintiff,

CERTIFICATE OF SERVICE

v.

UNKNOWN,

Defendant.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 24, 2014, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Eduardo C. Garcia C-98138
Facility, A-2-206 Up
Salinas Valley State Prison
P.O. Box 1050
Soledad, CA 93960-1050

Dated: September 24, 2014

Richard W. Wieking, Clerk
By: Jackie Lynn Garcia, Deputy Clerk